

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

Case No. 4:19-cv-00957

CLASS ACTION

[Lead Case]

ALYESKA MASTER FUND, L.P.,
ALYESKA MASTER FUND 2, L.P., and
ALYESKA MASTER FUND 3, L.P.,

Civil Action No. 4:22-cv-001189

[Consolidated Case]

Plaintiffs,

v.

ALTA MESA RESOURCES, INC., f/k/a
SILVER RUN ACQUISITION
CORPORATION II; RIVERSTONE
HOLDINGS LLC; ARM ENERGY
HOLDINGS LLC; BAYOU CITY
ENERGYMANAGEMENT, LLC; HPS
INVESTMENT PARTNERS, LLC; JAMES
T. HACKETT, HARLAN H. CHAPPELLE,
WILLIAM GUTERMUTH, JEFFREY H.
TEPPER, DIANA J. WALTERS;
MICHAEL E. ELLIS; RONALD SMITH;
DON DIMITRIEVICH; PIERRE F.
LAPEYRE, JR.; DAVID M. LEUSCHEN;
WILLIAM W. MCMULLEN; DONALD
SINCLAIR; STEPHEN COATS; and
THOMAS J. WALKER,

Defendants.

ORBIS GLOBAL EQUITY LE FUND
(AUSTRALIA REGISTERED), ORBIS
GLOBAL EQUITY FUND (AUSTRALIA
REGISTERED), ORBIS GLOBAL
BALANCED FUND (AUSTRALIA
REGISTERED), ORBIS SICAV, ORBIS
INSTITUTIONAL GLOBAL EQUITY L.P.,
ORBIS GLOBAL EQUITY FUND
LIMITED, ORBIS INSTITUTIONAL
FUNDS LIMITED, ALLAN GRAY
AUSTRALIA BALANCED FUND, ORBIS
OEIC, and ORBIS INSTITUTIONAL U.S.
EQUITY L.P.,

Plaintiffs,

v.

ALTA MESA RESOURCES, INC., f/k/a
SILVER RUN ACQUISITION
CORPORATION II; RIVERSTONE
HOLDINGS LLC; ARM ENERGY
HOLDINGS LLC; BAYOU CITY
ENERGYMANAGEMENT, LLC; HPS
INVESTMENT PARTNERS, LLC; JAMES
T. HACKETT, HARLAN H. CHAPPELLE,
WILLIAM GUTERMUTH, JEFFREY H.
TEPPER, DIANA J. WALTERS;
MICHAEL E. ELLIS; RONALD SMITH;
DON DIMITRIEVICH; PIERRE F.
LAPEYRE, JR.; DAVID M. LEUSCHEN;
WILLIAM W. MCMULLEN; DONALD
SINCLAIR; STEPHEN COATS; and
THOMAS J. WALKER,

Defendants.

Civil Action No. 4:22-cv-02590

[Consolidated Case]

**REPLY MEMORANDUM OF LAW ON BEHALF OF
HPS INVESTMENT PARTNERS, LLC AND DONALD DIMITRIEVICH
TO SEAL PORTIONS OF THEIR MOTIONS FOR SUMMARY JUDGMENT**

Dkt Nos. 422, 423, 424

Defendants HPS Investment Partners, LLC (“HPS”) and Donald Dimitrievich respectfully submit this Reply Memorandum of Law in support of their Motion to Seal Portions of their Motions for Summary Judgment, Dkt. Nos. 422, 423, 424 (the “Briefs”), and accompanying declarations and exhibits.

ARGUMENT

As described in the Moving Brief, Defendants here intended to, and did, meet and confer with Plaintiffs after filing the Briefs concerning the documents that Defendants filed under seal. Mot. 2-3. The parties were unable to reach agreement during the meet-and-confer. Plaintiffs then filed an opposition to this Motion, despite the requirement in the SPO that they “file a motion to unseal” the documents filed under seal. ECF No. 441; *see also* SPO ¶¶ 14, 24.

Nonetheless, HPS and Mr. Dimitrievich agree to unseal the specific documents docketed as ECF Nos. 422-2, 423-2, 423-6, 424-3, and 424-15, which comprise certain deposition excerpts and interrogatory responses. By doing so, however, HPS and Mr. Dimitrievich do not agree to the unsealing, or de-designation, of any other documents or information, including any other portions of the excerpted depositions (nor to the characterizations of law and fact in Plaintiffs’ opposition).

CONCLUSION

HPS and Mr. Dimitrievich agree to unseal ECF Nos. 422-2, 423-2, 423-6, 424-3, and 424-15.

Dated: September 27, 2023

Respectfully submitted,

/s/ Christopher Porter

(signed by permission of Attorney-in-Charge)

Karl S. Stern (attorney in charge) (SBN 19175665)

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**COUNSEL TO HPS INVESTMENT
PARTNERS, LLC AND DON
DIMITRIEVICH**

CERTIFICATE OF SERVICE

I certify that this motion has been served on counsel of record by the Court's ECF system and served electronically to counsel for all parties with an email address on record on September 27, 2023.

/s/ Christopher Porter

By: Christopher Porter